IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 2126 of 2005

Between:

R.C. Ranga Reddy, S/o. Late Venkata Rami Reddy,
R/o. Gudipadu Village, Gaduru Mandal, Kurnool District.

... PETITIONER

AND

1. The State of A.P., rep. by its Special Secretary to Govt., for Revenue, Secretariat, Hyderabad.
2. The District Collector, Kurnool District.
3. The Mandal Revenue Officer, Guduru Mandal, Kodumuru Taluk, Kurnool District.
4. G.C. Somi Reddy, S/o. G. Narayana Reddy,
   Gudipadu Village, Gudur mandal, Kurnool District.
5. Boya Naganna, S/o. Boya Thippanna,
   Gudipadu Village, Gudur mandal, Kurnool District.
6. G. Thimma Reddy, S/o. Pulla Reddy,
   Gudipadu Village, Gudur mandal, Kurnool District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to Issue a writ order or direction more particularly in the nature of writ of Mandamus declaring the inaction on the part of the 2nd respondent in taking action against the Respondents 3 to 6 as illegal and consequently direct the Respondent 3 to 6 not interfere with the peaceful possession and enjoyment of the petitioner Schedule property without following the due process of the law.

Counsel for the Petitioner: MR.VINAY KAMISETTY

Counsel for the Respondents 1 to 3: GP FOR REVENUE

The Court made the following:

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ORDER:

On the basis of the averments in the affidavit filed in support of the writ petition absolutely no case is made out to show that the matter involves enforcement of any legal right or statutory obligation. Apparently the dispute relates to property rights between the petitioner and the respondents 4 to 6. Hence, it is not open to the petitioner to seek a writ of Mandamus. However, the learned counsel for the petitioner states that the petitioner has already approached the first respondent-Government of A.P. as well as the second respondent-District Collector seeking protection against the alleged interference by the respondents, 4 to 6 and the proceedings are still pending.

In the circumstance, the writ petition is disposed of making it clear that this shall not preclude the respondents 1 and 2 for considering the representations made by the petitioner and pass appropriate orders, in accordance with law. No order as to costs.

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G. ROHINI, J

Dated: 10-02-2005

LSK

ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER.

To

1. The Special Secretary to Govt., for Revenue,
Secretariat, Hyderabad.
2. The District Collector, Kurnool District.
3. The Mandal Revenue Officer, Guduru Mandal, Kodumuru Taluk, Kurnool District.
4. Two C.Cs. to the Government Pleader for Revenue, High Court Buildings, Hdyerabad. (O.U.T.)

5. Two C.D. copies.